IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No. 4528 of 2006 (O&M)
Date of decision : 29.9.2006

IFFCO-TOKIO General Insurance Company Ltd.

....Appellant

Versus

Sudesh Gupta and others

...Respondents

CORAM : HON'BLE MR.JUSTICE UMA NATH SINGH
HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr.P.M.Goyal, Advocate
for the appellant.

...

MAHESH GROVER, J.(Oral)

This appeal has been filed by the insurance company against the award of the Motor Accident Claims Tribunal, Karnal dated 12.5.2006 passed in M.A.C.T. Case No.182 of 2005.

In an accident which is alleged to have taken place on 25.8.2005, one Shri Ram Gupta lost his life. The accident was said to have been caused by negligent act of the driver of the vehicle who without applying hand brakes left the vehicle in a running condition on a hill track as a result of which it rolled down the hill and fell into a river. On a claim petition initiated by the legal heirs of the deceased, the Tribunal awarded a sum of Rs.25,61,600/- along with interest @ 7.5 per cent per annum from the date of filing of the petition till the date of its realisation.

The only prayer made by the learned counsel for the

appellant was that there has been an error in calculation of the compensation by the Tribunal while rendering the award. We are not impressed by the submission made by the learned counsel for the appellant. The appellant, if so advised, may move the Tribunal for correction, if any, in the calculations.

That apart, the appeal is barred by a delay of 10 days which has not been explained satisfactorily.

The appeal is dismissed in limine with the aforesaid observations.

(MAHESH GROVER)
JUDGE

29.9.2006

(UMA NATH SINGH)
JUDGE

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